

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

U.S. BANK NATIONAL ASSOCIATION,  
solely in its capacity as securities intermediary,

Plaintiff,

V.

SUE L. BETRES; and PHL VARIABLE  
INSURANCE COMPANY,

Defendants.

CIVIL ACTION NO. 2:22-cv-01613-LPL

**NOTICE OF DISMISSAL OF ENTIRE ACTION WITH PREJUDICE**

PLEASE TAKE NOTICE:

Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(i), Plaintiff U.S. Bank National Association, solely in its capacity as securities intermediary<sup>1</sup> (“Securities Intermediary”), voluntarily dismisses the entire Complaint filed in this action by Securities Intermediary with prejudice in accordance with the settlement agreement among the parties to this action.

<sup>1</sup> US Bank National Association at all relevant times has acted solely as Securities Intermediary for the beneficial owner of the life insurance policy at issue in this case, not in its individual capacity. *See* 13 Pa. Cons. Stat. § 8102(a) (defining “Securities Intermediary”).

Dated: February 16, 2023

Respectfully submitted,

/s/ Brendan K. Petrick

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SECURITIES INTERMEDIARY